

UNITED STATES DISTRICT COURT  
for the  
Southern District of New York

United States of America

v.

Shane Nichols

Date of Original Judgment: 09/23/2022

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

Case No: 21-CR-422 (CS)

USM No: 24296-509

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_ .  
(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

A reduction is precluded under USSG 1B1.10(a)(2)(B) because Defendant's Criminal History Category was driven by his Career Offender status, and so the "status points" made no difference, and even if he were not a career offender, his sentence was below what the amended Guideline range would be, so a reduction would be precluded under USSG 1B1.10(b)(2)(A).

Except as otherwise provided, all provisions of the judgment dated \_\_\_\_\_ shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 04/02/2024



*Judge's signature*

Effective Date: \_\_\_\_\_  
(if different from order date)

Cathy Seibel, U.S.D.J.

*Printed name and title*